



CHAPTER 11: POST-ELECTION ACTIVITIES¹

Section 11.01 Post-Election Activities Introduction

After an election, the board must update voter history. It also must verify results through recounts when margins are close and conduct post-election audits of at least five percent of votes cast. The board will use bipartisan teams to manually count ballots, compare them to electronic results, and document any discrepancies that could change election outcomes. These post-election verification processes ensure transparency and accuracy, maintaining voter confidence in Ohio's election system. Finally, the board must issue certificates of nomination/election.

Section 11.02 Voter History

The board must upload voter history to the Statewide Voter Registration Database (SWVRD) no later than 14 days after the official certification.²

Mark a voter as having voted in an election, only if any of the following are true:

- The voter signed the pollbook on Election Day.
- The voter timely returned their ID envelope (including Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) and Federal Write-In Absentee Ballot (FWAB)), and their ballot was counted.
- The voter voted early in person during the absentee voting period.
- The voter cast a provisional ballot that was counted.³

¹[Directive 2026-38](#)

²Counties with more than 100,000 registered voters must email the Elections Division to schedule their upload in advance.

³[R.C. 3503.15\(C\)\(10\)](#).

After primary elections, program the county voter registration system to show a voter's party affiliation, in accordance with paragraph seven of [R.C. 3513.05](#).

After voter history is transmitted, the Secretary of State's office will compare the total ballots cast to the total number of voters participating in the election.

Section 11.03 Recounts - Types

There are two types of recounts: automatic and requested.

AUTOMATIC RECOUNT

The board must conduct an automatic recount when the vote difference between winning and losing nominees, candidates, questions, or issues, is less than a certain percentage of total votes cast. The percentage is described in **Section 11.04** below on automatic recounts.⁴

Recounts: The process of recounting all ballots counted in the Official Canvass and reexamining the reconciliation of the records for a specific contest in an election.

REQUESTED RECOUNT

A requested recount occurs only when an automatic recount is not required by [R.C. 3515.011](#). A requested recount may come from:⁵

- Any candidate who was not declared nominated or elected.
- Any group of five or more qualified voters who voted for a defeated question or issue or voted against a winning question or issue.

Section 11.04 Automatic Recounts

BOARD-DECLARED AUTOMATIC RECOUNTS FOR ELECTIONS WITHIN THE COUNTY

The board must order an automatic recount for any race or issue within your county when the difference between votes cast for a declared winner and loser is less than **one-half of one percent (0.5 percent)** of total votes cast in the contest. Calculate this by

⁴[R.C. 3515.011](#).

⁵[R.C. 3515.01](#).

multiplying total votes by 0.005.⁶ See examples in the subsection below on **Calculating Automatic Recounts**.

When the board orders an automatic recount, follow the procedures outlined in [R.C. 3515.04](#), [R.C. 3515.05](#), and this chapter.

Notify the Secretary of State's office about:

- The race, question, or issue being recounted.
- The date, time, and location of the recount.

SECRETARY OF STATE-DECLARED AUTOMATIC RECOUNTS OF MULTICOUNTY DISTRICT ELECTIONS

The Secretary of State must order automatic recounts for multicounty district races or issues when the difference between votes cast for the declared winner and loser is less than **one-half of one percent (0.5 percent)** of total votes cast in the contest.⁷ This is calculated by multiplying the vote totals by 0.005. See examples in the subsection below on **Calculating Automatic Recounts**.

The most populous county must:

- Notify the Secretary of State's office of the official results⁸ (the vote totals from each county as well as the grand total for the race, question, or issue).
- Request the Secretary to order the automatic recount.

Each board in the multicounty district must:⁹

1. Schedule the recount within the timeframe given in the order from the Secretary of State's office.
2. Notify everyone who must receive notice of the recount.
3. Tell the Secretary of State's office the date, time, and location of the recount.
4. Conduct the recount.¹⁰

⁶[R.C. 3515.011](#).

⁷[R.C. 3515.011](#).

⁸[R.C. 3515.03](#).

⁹[R.C. 3515.03](#).

¹⁰[R.C. 3515.04](#).

5. Report results to the most populous county.

The most populous county then reports results from each county in the multicounty district to the Secretary of State's office.¹¹

SECRETARY OF STATE-DECLARED AUTOMATIC RECOUNTS IN STATEWIDE ELECTIONS

The Secretary of State must order an automatic recount for any statewide election when the vote difference between votes cast for the declared winner and loser is less than **one-fourth of one percent (0.25 percent)** of the total votes cast in the race or issue.¹²

In a statewide recount, each board must:

1. Conduct a recount in its county for the specified contest according to procedures in this section.
2. Report its recount results directly to the Secretary of State's office.¹³

Calculating Automatic Recounts

When One Candidate will be Elected or Nominated

Where there are multiple candidates for a single office but only one to be elected, add all votes in that race together to get the total. For example:

- Candidate A 2,845 votes (declared elected or nominated)
- Candidate B 2,815 votes (declared defeated)
- Candidate C 2,795 votes (defeated)

The total vote for the office is 8,455. One-half of one percent (0.50 percent) of 8,455 is 42.275 ($8,455 \times 0.005$); don't round this number.

Candidate A defeated Candidate B by 30 votes, which is less than 42.275. Since the difference is less than one-half of one percent (0.5 percent), the board would order an automatic recount of votes for all three candidates.

¹¹[R.C. 3515.05.](#)

¹²[R.C. 3515.011.](#)

¹³[R.C. 3515.05.](#)

When Several Candidates will be Elected or Nominated

When several candidates will be elected, only count votes for the candidates whose position is in question. The term “declared winning candidate” means the candidate whose nomination or election is in question.

Using the example below, if five candidates run for three open seats, only the votes cast for Candidates 3, 4, and 5 are regarded as the “total votes” cast for the third seat in computing the margin for an automatic recount. Your board would not include votes cast for Candidates 1 and 2 because their nomination or election is not in dispute.

Declared Winning Candidate: The candidate whose nomination or election is in dispute.

For example:

- Candidate 1 4,200 votes (elected or nominated)
- Candidate 2 2,301 votes (elected or nominated)
- Candidate 3 2,300 votes (declared elected or nominated)
- Candidate 4 2,275 votes (declared defeated)
- Candidate 5 2,250 votes (defeated)

The votes cast for Candidates 3, 4, and 5 total 6,825. One-half of one percent of 6,825 is 34.125 ($6,825 \times 0.005$). Don’t round this number.

Candidate 3 defeated Candidate 4 by 25 votes, which is less than 34.125. Since the difference is less than one-half of one percent (0.5 percent), your board must order an automatic recount. Only recount votes cast for Candidates 3, 4, and 5.

Tied Contest Triggers Automatic Recounts

Any tied contest from the Official Canvass triggers an automatic recount.

For tied candidate races, the board should have resolved the tie by lot at the end of the Official Canvass. If it didn’t, the board must break the tie by lot before starting the recount. The board can only resolve a tie by lot during a public meeting with a board majority present.¹⁴

¹⁴[R.C. 3505.33](#); [R.C. 3513.22 \(C\), \(D\)](#).

Section 11.05 Requested Recount

TYPES OF REQUESTED RECOUNTS¹⁵

Requested Recounts Within a County

Any defeated candidate, nominee, or issue group may file a written request via a letter with the board for a recount of votes in any precinct where the race, question, or issue appeared on the ballot. When the board receives a valid recount request letter, promptly notify the Secretary of State's Elections Division.

Requested Recounts of Multicounty District Elections

Any defeated candidate, nominee, or issue group may file a written letter with the board of the most populous county of the district for a recount of votes in any precinct and in any of the counties where the contest appeared on the ballot. When the board receives a valid recount request letter, promptly tell the Secretary of State's Elections Division.

Requested Recounts in Statewide Elections

Any defeated statewide candidate, statewide nominee, or group for or against a statewide question or issue may file a written request letter with the Secretary of State's office for a recount of votes in any precinct in any county.¹⁶

REQUESTING RECOUNTS¹⁷

Written Letter Requesting a Recount¹⁸

Any declared a losing candidate, or a group of five qualified electors, can request a recount of the election results, as certified by the board, within five days after the board or Secretary of State declares official results.

Where to send the letter:

- Single county contest: filed with that county's board.
- Multicounty contest: filed with the board of the most populous county.
- Statewide contest: filed with the Secretary of State's office.

¹⁵In this section, **recount of votes** means for the race, question, or issue.

¹⁶[R.C. 3515.02](#).

¹⁷[R.C. 3515.01](#).

¹⁸[R.C. 3515.01](#); [R.C. 3515.02](#); [R.C. 3515.03](#).

For Candidate Elections

A candidate not declared nominated or elected may request in writing a recount of votes cast in that contest in some or all precincts where that contest was submitted to the voters.¹⁹

For Questions or Issues

A group of five voters who voted opposite to the certified result may request in writing a recount of votes in some or all precincts where it was on the ballot. In other words, if the question or issue passed, they had voted against it; if the question or issue failed, they had voted for it.

The group filing for a recount must choose one member as chairperson to receive notices about the recount.²⁰

Deposit

The deposit serves as a security to cover the cost of the recount.²¹ If not all requested precincts are counted, the board must refund any unused balance to the applicant(s).²²

Amount

Recount applicants must pay \$80 per precinct²³ by cash, bank money order, bank cashier's check, or certified check.²⁴ Check Biennial Adjustment advisories for any change in recount charges.

Special Depository Fund

The board must deposit all funds from an applicant in a special account with the county treasurer. Include this line item in the board's yearly budget to ensure prompt deposits. Pay recount expenses and refunds from this fund. Any balance that wasn't spent or refunded to the applicant must go into the county's general fund.²⁵

¹⁹[R.C. 3515.01.](#)

²⁰[R.C. 3515.01.](#)

²¹[R.C. 3515.03.](#)

²²[R.C. 3515.07.](#)

²³Last set February 25, 2025, in the [Biennial Adjustment of Recount Charges Advisory 2025-01](#). Boards should always check the most recent [Biennial Adjustment advisories](#) for subsequent changes.

²⁴[R.C. 3515.03](#); [R.C. 3515.072](#).

²⁵[R.C. 3515.07.](#)

ASSESSING RECOUNT CHARGES

Calculating Charges

Calculate all expenses the board incurs due to the request (except regular operating expenses that the board would have incurred whether or not the recount was requested).

The charge per precinct equals the board's total expenses divided by the number of precincts recounted. This charge:

- Cannot exceed \$80 per precinct.
- Cannot be less than \$5 per precinct.²⁶
- Is charged on a per-precinct basis.

Deduct the charge per precinct from the applicant's deposit and refund the balance.²⁷

When Charges Are Not Assessed

Do not deduct charges when either of the following occurs:

- The recount shows that the total number of votes cast in the precinct for the applicant is more than four percent greater than the number of votes originally recorded in that precinct.
- The recount changes the outcome (candidate wins or issue result flips).²⁸

Section 11.06 Preparing for a Recount

SCHEDULING A RECOUNT AND PROVIDING WRITTEN NOTICE

Scheduling

After ordering an automatic recount or receiving a valid request letter, promptly:²⁹

1. Set the time, method, and place for the recount.
2. Hold the recount within 10 days of the order or request letter receipt.

²⁶Last set February 23, 2023, in the [Biennial Adjustment of Recount Charges Advisory 2023-02](#). Boards should always check the most recent [Biennial Adjustment advisories](#) for subsequent changes.

²⁷[R.C. 3515.07](#); [R.C. 3515.072](#).

²⁸[R.C. 3515.07](#).

²⁹[R.C. 3515.03](#).

3. Notify the board of the most populous county (for multicounty recounts) or the Secretary of State (for statewide recounts) of the board's scheduled recount date.

Notice

At least five days before the board's scheduled recount, send notice by certified mail of the time and place of the recount to:³⁰

- Each person who received votes in the contest being recounted.
- For questions or issues, the chairperson of the group who applied for the recount and/or taxing authority, or petitioners who submitted the question or issue to the board.

Waiver of Notice

The board may waive the requirement to mail notice if it receives a written waiver from each person entitled to receive notice.³¹ Even with waivers, the board cannot schedule a recount earlier than the fifth day after completing its official certification.

Observers

Only board members, directors, deputy directors, or designated employees may handle ballots during a recount.³² Appointed observers may attend any recount.³³ See [Chapter 9, Section 9.10](#), for details on recount observers.

Journalists are permitted to attend a recount.

Section 11.07 Stopping an Automatic Recount

BEFORE AN AUTOMATIC RECOUNT STARTS

After an automatic recount is ordered but before it begins, the declared defeated candidate or issue chairperson for the losing side may ask in writing to stop the recount. If more than one declared defeated candidate is entitled to the recount, each must file a written request. If all eligible losing candidates request the recount be stopped, the board must stop it.³⁴

³⁰[R.C. 3515.03.](#)

³¹[R.C. 3515.03.](#)

³²[R.C. 3515.04.](#)

³³[R.C. 3515.03;](#) [R.C. 3505.21.](#)

³⁴[R.C. 3515.03.](#)

AFTER AN AUTOMATIC RECOUNT STARTS

During a recount, the declared losing candidate(s) or issue chairperson may file a written request to stop the recount.

If the board finds the recount results won't change the official results (the winning margin for the declared elected candidate stays the same or increases), it must stop the recount. If not, the board must deny the request to stop and continue counting until all ballots from the precincts involved have been recounted.³⁵

Section 11.08 Recount Procedures

FOR ALL VOTING SYSTEMS³⁶

Note: High-level instructions for the various voting machine types are included below. However, the board's voting machine vendor can provide specific instructions on how to perform recounts for its machine type.

Recount Teams

- ☐ Conduct the recount using teams of election officials equally divided among the two major political parties.

A team of at least two election officials must compare total votes in the contests being recounted to the number of voters in the pollbook or poll list. Document any precinct where votes exceed the number of marked names in the pollbook.

Caution: Do not allow your board's preparations for the recount to become precounting, either in fact or in perception.

Chain of Custody and Election Material Integrity

- ☐ Review chain of custody logs for the ballots, precinct election official (PEO) reconciliation results, and board reconciliation results for each precinct being recounted.
- ☐ Keep sealed ballot envelopes sealed; don't view the actual ballot inside.
- ☐ Check ballots to verify each contest was properly displayed.

³⁵[R.C. 3515.04.](#)

³⁶[R.C. 3515.04](#); [R.C. 3501.05.](#)

Random Selection

- ☐ Random selection of precincts may occur before the scheduled recount. However, the board must select them during a public board meeting with at least 24 hours' notice to candidates or the issue's chairperson.
- ☐ Randomly select precincts totaling at least five percent of the vote in the race to be recounted.
- ☐ To randomly select:
 - Choose whole precincts.
 - Include all relevant regular ballots (voter verified paper audit trail ³⁷ and/or optical scan paper ballots), provisional ballots, and absentee ballots.
- ☐ Select enough precincts whose total votes equal at least five percent of the total votes in the election at issue. (To calculate this percentage, the number of total votes cast in the election at issue is multiplied by 0.05 and then rounded up to the next whole number, if necessary.)
 - Use a method that ensures every precinct in the jurisdiction to be recounted has the same chance of being selected.

Random Selection

Because applicants requesting recounts must name each precinct to be recounted, "randomly select" only applies where the total number of voters who voted on the contest to be recounted in the named precincts exceeds five percent of the total vote cast in the election to be recounted.

Acceptable methods include casting multicolored dice or drawing slips of paper from a container. If slips of paper are drawn, they and the container must be allowed to be inspected by observers before being mixed together in the container for the drawing.

Hand Counting and Single Precinct Elections

- ☐ Hand count votes cast on optical scan paper ballots for each randomly selected precinct using the **manual hand count procedures**. Include all ballot types (regular, absentee, and provisional, including remakes).

Note: Teams conducting the hand count should not have access to previously certified official results for that precinct.

³⁷[R.C. 3506.18](#).

- ❑ For single-precinct elections like local liquor options, the hand tally is sufficient; no electronic retabulation is needed.

Electronic Results

- ❑ Compare the hand count tally with the electronic results. If they match, run all ballots through the tabulator again using the electronic voting system. Don't re-upload media from the Official Canvass. Start fresh, as if no ballots have been scanned or tabulated.
- ❑ If hand count and electronic results don't match, determine if the error is a result of the hand tally or electronic tally. If, after three rounds of hand-tallying the ballots, they still don't match, hand count all ballots for that contest.
- ❑ If final electronic or hand tallies differ from official certified results of that group of precincts, amend official certified results to match the recount. More details on this are included later in this chapter.
- ❑ After using the tabulator for the recount, retest the program with the premarked test deck.

MANUAL HAND COUNT PROCEDURES

Before starting a manual hand count:

- ☐ Create teams of at least two people, evenly divided between major political parties. The two individuals must track the votes on the Hand Count Tally Reporting Form.
- ☐ Inspect ballots for damage and other irregularities not accounted for by ballot remakes.
- ☐ Check ballots for proper candidate position and verify each candidate or issue has been properly identified.
- ☐ Prepare an in-house Hand Count Tally Reporting Form that lists:
 - Candidates, questions, and issues, or the specific race or issue to be manually hand counted.
 - Type of ballot (regular or provisional ballot voted at the precinct or absentee ballot).
 - Overvotes (mark as "OV").
 - Blank voted offices or issues (mark as "BL" for blank when no votes are cast).
 - Signatures from the Democratic and Republican board members responsible for conducting the manual hand count and the date, once complete.
- ☐ Start the manual hand count in a public board session. The board can recess and let employees perform the count in the presence of credentialed journalists, observers, and board members who wish to attend.³⁸ A board majority is not required during recounting. Once the recount is complete and a majority of members are present, return to public session. The board should have specific procedures for this process.

³⁸[R.C. 3515.03](#).

COUNTIES USING OPTICAL SCAN BALLOTS AS PRIMARY METHOD OF VOTING

Overview

- ☐ Create teams of at least two people, evenly divided between major political parties. The two individuals must track the votes on the Hand Count Tally Reporting Form.
- ☐ Verify that the number of each type of optical scan ballots matches the records of those types of ballots cast in the contest involved.
- ☐ Sort ballots by type using the stack method. Count the votes cast for each candidate, question, and/or issue in each stack. Use the stack method as follows:
 - Create stacks by type, sorting by candidate, yes or no, or for or against vote, and by overvote or blank vote. Do this for each contest to be manually hand counted.
 - Make a separate stack for disputed votes or unclear voter intent, marked with a paper clip or post-it note on the ballot where the question arises. Remember to include these ballots in subsequent stacks for a hand count for another race or issue.
- ☐ State law defines valid marks for optical scan ballots.³⁹ If the board ties on the validity of a mark, don't submit the matter to the Secretary of State.⁴⁰ Instead, see the tie vote section, **Section 11.09**.
- ☐ For optical scan counties using direct recording electronic (DRE) voting machines, include a hand count of the Voter-Verified Paper Audit Trail (VVPAT) for DRE machines used in the election in question.

Preparations for Optical Scan Ballots

Recount preparation for precincts randomly selected includes the following steps for reconciliation of paper ballots for the recount:

- ☐ Select the precincts to be used in the recount randomly (see procedures above). If both VVPAT and optical scan paper ballots exist for the same named precincts for the recount, choose just one selection process.

³⁹[R.C. 3506.21](#).

⁴⁰[R.C. 3505.27](#).

- ☐ Make all documentation available for inspection to observers if they ask.
- ☐ Test the voting system as the board did in pre-election and pre-canvass public tests.⁴¹ Reset vote totals to zero after testing.

Verify Optical Scan Ballots

- ☐ Select the paper ballots to be compared with the electronic results for the randomly selected precincts in the recount.
- ☐ Check them to verify that each contest in the recount was properly displayed.
- ☐ Inspect the selected ballots for damage and irregularities not accounted for by ballot remakes.

COUNTIES USING DIRECT RECORDING ELECTRONIC (DRE) VOTING MACHINES AS PRIMARY METHOD OF VOTING

Overview

- ☐ Create teams of at least four people, evenly divided between individuals from major political parties. One from each party unrolls the VVPAT and reads the results. The other two track the votes by marking on the in-house Hand Count Tally Reporting Form.
- ☐ Use the in-house Hand Count Tally Reporting Forms, one form per voting machine per precinct, for the manual hand count of the actual ballots. Use a separate form for any optical scan ballots to be manually hand counted for the precinct.
- ☐ Verify that the number of each type of ballot to be manually hand counted (regular ballots - VVPAT and DRE machine backup optical scan ballots, and provisional and absentee optical scan ballots) matches the board's records of each of those types of ballots cast in the contest involved.
- ☐ Hand count votes on the VVPAT for the selected precincts by voting unit, listing the voting machine serial number on the tally sheet. Tally votes on the form.
- ☐ Hand count provisional ballots (if for an Official Canvass, recount, or audit), and DRE machine backup paper ballots.
- ☐ Sort provisional ballots (if for an Official Canvass, recount, or audit), and DRE machine backup paper ballots by type using the stack method. Count each stack.

⁴¹[R.C. 3506.14](#).

Use the stack method as described above under Counties Using Optical Scan Ballots.

Preparations for DRE Machine Ballots

Recount preparation for direct recording electronic and optical scan (whether precinct-based or central count) vote tabulation machines includes the following steps to verify ballot production.

For precincts randomly selected for the recount:

- ☐ Select precincts to be used in the recount randomly; see procedures above. If there are both VVPAT and optical scan paper ballots for the same-named precincts for the recount, only one selection process is necessary.
- ☐ Make all documentation available to observers if they ask.
- ☐ Test the voting system as the board did in pre-election and pre-canvass public tests.⁴² Reset vote totals to zero after testing.
- ☐ Verify the VVPAT:

Select VVPATs from randomly chosen precincts totaling at least five percent of the total votes cast for the candidate or issue being recounted. The VVPAT will be compared with the electronic results for the precincts randomly selected for the recount.

Note: VVPAT serves as the official ballot to be recounted for the ballots cast on a DRE voting machine.⁴³ Board employees may open the sealed VVPAT for the recount.

- Check VVPATs to verify that each contest, question, or issue is properly identified.
- Check that public counter numbers match the VVPAT numbers and pollbook records.
- Inspect the VVPAT for damage.

⁴²[R.C. 3506.14.](#)

⁴³[R.C. 3506.18.](#)

What to do when VVPAT cannot be used.

- ☐ Determine if any of the following events mean the VVPAT cannot be used for a manual hand count of ballots for a DRE voting machine:
 - The printer on the DRE machine failed.
 - The paper jammed, causing overprinting and preventing being able to read votes on that part of the VVPAT roll.
 - The paper was installed incorrectly, and it did not record votes on that DRE machine.
 - The VVPAT is lost or damaged beyond recovery.
- ☐ Follow these steps when VVPAT cannot be used:
 1. The full board must meet in public session, examine the VVPAT in question and decide if it can be used as the official ballot for votes cast on the DRE machine.
 2. If a majority of the board determines it cannot be used, it must immediately designate staff equally divided between the two major parties to proceed as described in the table below.

DRE Machine Process when VVPAT cannot be used		
DRE Machine Process 1	DRE Machine Process 2	DRE Machine Process 3
The designated staff must produce a readable paper trail from the voting machine with the unusable VVPAT. The board inspects this summary of results and compares it with the electronic results, if any, of the canvass (unofficial or official). If they match, use this paper trail as the official ballot for the manual hand count.	If the designated staff can't produce a paper trail from the voting machine following Process 1, they must immediately upload the votes recorded on the DRE machine's removable media for the election to be manually hand counted and print a report. The board compares this report with the electronic results, if any, of the canvass (unofficial or official). If they match, use this paper report for the manual hand count.	If Process 2 fails, you must immediately upload the votes from the DRE machine's hard drive or internal memory and print a report. Compare these results with the canvass results (unofficial or official). If they match, you must use this paper report for the manual hand count.

If the board has questions about this process or can't produce a usable paper report after trying all three procedures above, contact the Secretary of State's Elections Division at 614-466-2585 and/or email ElectionAdmin@OhioSoS.gov.

For Optical Scan Ballots Cast by Absentee and Provisional Voters

DRE machine counties must follow the procedure from the optical scan section above for the optical scan ballots in the randomly selected precincts.

Include the results of the hand count of those optical scan ballots in the recount.

Verify DRE Machine Ballots

- ☐ Hand count the VVPAT from the randomly selected precincts.
- ☐ Compare the hand count with the electronic results by uploading the removable media from each recounted DRE machine to the central tabulation system. Create a report for only the randomly selected precincts.

Caution: The bipartisan teams conducting the hand count should not know the certified official results for that precinct.

- ❑ If the electronic results and the tally from the hand count match, upload all removable media from each DRE machine where voters could vote on the contest and generate a report.
 - If the electronic results for one machine and hand count tally of the VVPAT from that same machine don't match, determine where the error came from. If, after three rounds of hand tallying they still don't match, use the final hand tally of the VVPAT for that candidate contest, question, or issue.
- ❑ If final electronic tabulation or hand tally of all VVPATs/DRE machines results differ from official certified results of that group of precincts, amend the official certified results to match the recount.

Section 11.09 Post-Recount Considerations

REGARDING TIES

- If the Official Canvass showed a tie and the recount remains a tie, the candidate declared winner by lot at the end of the Official Canvass remains the declared winner. Do not break the tie by lot again.⁴⁴
- If the Official Canvass didn't show a tie but the recount does, the board must break the tie in the recount by lot. Report the method used when submitting the amended results report.

AMENDED ABSTRACT/RESULTS REPORT

After completing or stopping a recount, the board must promptly:

- Prepare and certify an amended results report showing the votes cast in each precinct where the race or issue appeared on the ballot.
- The amended abstract, or results report, must show the recounted votes of the precincts involved.
- Mail copies of the certified amended results report to other boards or the Secretary of State's office as was required with the original results report.
- Keep the original certified amended results report.

⁴⁴[R.C. 3505.33](#).

- Submit an amended results report to the Secretary of State's office even if vote totals don't change in the recount.

The board must make a declaration of the amended result in the same way it made the original declaration.⁴⁵

REMEDIES AFTER PARTIAL RECOUNTS

If an amended declaration shows a different result than originally declared, a person who was originally declared nominated or elected, or any group of five voters that filed a statement with the board, may:

- File a formal request letter within five days after the amended declaration.
- Pay the deposit per precinct for a recount of the votes in precincts not already recounted.

Conduct the recount following the procedures in this chapter.⁴⁶

ADOPTING STRICTER PROCEDURES

The procedures described in this chapter are the minimum requirements for conducting a recount. If a majority of the board believes the results warrant further investigation, the board may use more rigorous procedures. If it adopts stricter procedures:

- Adopt those procedures in a public session.
- Document the procedures.
- Keep that documentation with recount materials.

Any additional procedures must build upon these minimum requirements and cannot weaken them.

⁴⁵[R.C. 3515.05.](#)

⁴⁶[R.C. 3515.06.](#)

Section 11.10 Post-Election Audit Procedures

OVERVIEW

A post-election audit reviews one or more contests in an election to ensure the board-reported results are accurate.

Audits are conducted following any election using procedures from the Secretary of State and in this chapter.⁴⁷ State law requires boards to audit at least three contested races, questions, or issues, in every election.⁴⁸

Only board members or designated employees may handle ballots.⁴⁹

The board should either:

- Designate staff in a board meeting before the election to help handle ballots during the audit. Note this in the board minutes, or
- Adopt a policy designating which employees may handle ballots during an audit.

Post-Election Audit: A review of one or more election contests following procedures from the Secretary of State and in this chapter to confirm your results are accurate.

TIMELINE

The board **must not** conduct the audit before certifying its Official Canvass. The timeline for post-election audits depends on whether there is a recount.

If there is No Recount:

- Start the audit not earlier than six days after the official results are declared.
- Complete it within 21 days of that declaration.⁵⁰
- Certify audit results to the Secretary within five days of completion.⁵¹

The Elections Division will email a form for certifying audit results after each election.

⁴⁷[R.C. 3505.331\(A\).](#)

⁴⁸ [R.C. 3505.331\(B\)\(1\)\(b\).](#)

⁴⁹ [R.C. 3505.331\(C\).](#) Under [R.C. 3599.40](#), a violation of this provision may be a misdemeanor of the first degree.

⁵⁰ [R.C. 3505.331\(A\).](#)

⁵¹ [R.C. 3505.331\(D\)\(1\).](#)

If the Board or Secretary Ordered a Recount of a County-Wide Race, Question or Issue

This counts as one of the three races included in your audit.⁵²

Any Other Recount

- Begin the audit immediately after certifying recount results.
- Complete it within 14 days.⁵³
- Certify audit results to the Secretary by a majority vote of the board within five days of completion.⁵⁴

POST-ELECTION AUDIT OBSERVERS

The post-election audit must be open to the public, journalists, and appointed observers.⁵⁵ The board must give public notice of the time and place of the post-election audit in the same way it announces board meetings.

- Observers may not handle a ballot under any circumstances.
- Authorized authorities may appoint observers. [See Chapter 9, Section 9.10](#), for details on audit observers.
- The public may observe the audit and should be given the same access as statutory observers.
- Observers can watch the precinct selection process and the count.
- The board may limit the number of observers based on space and resources, but must always allow statutory observers, regardless of its space and resources. If limiting the number of observers, it must also randomly select at least two members of the public to observe the audit. Try to accommodate the public as much as possible.
- Journalists may attend any portion of the post-election audit.

⁵²[R.C. 3505.331\(B\)\(1\)\(b\).](#)

⁵³[R.C. 3505.331\(A\).](#)

⁵⁴[R.C. 3505.331\(D\)\(1\).](#)

⁵⁵[R.C. 3505.331\(C\).](#)

PREPARATIONS FOR THE POST-ELECTION AUDIT

Boards of elections will audit at least three contested races, questions, or issues, in every election, as directed by the Secretary of State.⁵⁶

No later than when the board meets to certify the official results, decide:

- Whether to audit by precinct, polling location, or by individual voting machine⁵⁷ (referred to collectively as “units to be audited” for this section).
- When and where the board will select units to be audited.
- Date and place where the audit will begin.

It’s best to audit the smallest unit available. Only audit by polling location if:

- In DRE machine counties, voting machines in a multiple-precinct polling location were not precinct-specific.
- In paper ballot counties, scanners were not precinct-specific on Election Day.

When selecting units to audit, randomly select enough units until the number of votes cast equals **at least five percent** of the total county voter turnout.

- If auditing by precinct and the randomly selected precinct’s public count is greater than or equal to five percent, randomly select one additional precinct.
- If auditing by polling location and the public count from the selected polling location is greater than or equal to five percent, randomly select one additional polling location.

Note: While the board or its employees may organize materials and ballots between selection and audit start, allow observers during preparations and avoid pre-auditing.

General Guidelines

- Include all ballot types when counting votes, including regular ballots (VVPAT and/or paper), counted provisional ballots, and absentee ballots of all types. The

⁵⁶[R.C. 3505.331\(B\)](#).

⁵⁷Here, “voting machine” means automatic tabulating equipment, central counting station, voting machines, and direct recording electronic voting machines as defined in [R.C. 3506.01](#).

board or its employees may open sealed VVPAT for audits, even if there is no recount in the precinct.

- Randomly select units to be audited. Acceptable methods include casting colored dice or drawing numbered slips of paper from a transparent container.
- The board may audit more than five percent if it chooses.

Election records are generally public records⁵⁸ and must be available during post-election audits. These may include:

- Documents showing ballots ordered and received.
- Number of ballots voted, remade, spoiled, and uncounted.
- Absentee and provisional ballots issued, returned, validated, and invalidated.
- PEO and board reconciliation sheets.
- Chain of custody logs.

Boards should consult their county prosecutor for questions regarding public records.

CONDUCTING THE POST-ELECTION AUDIT

Use either a simple, percentage-based post-election audit or a risk-limiting audit.⁵⁹

1. Conduct the audit with teams of election officials equally divided between the two major political parties.
2. A team of at least two election officials must compare total votes cast in the contests being audited to the number of voters in the pollbook or poll list. Document any precincts where votes exceed marked names in the pollbook.

Check ballots to verify each contest is properly identified on the ballot. Observers and the public may watch the inspection but may not handle ballots.

"Ballot" means both paper ballots and VVPAT from DRE machines.

3. For each contest, physically examine and hand count the ballots for each randomly selected unit. Compare the hand count to the certified electronic

⁵⁸[R.C. 149.43.](#)

⁵⁹[R.C. 3505.331\(B\)\(3\).](#)

results for that contest in that precinct or polling location. Document the comparison for each precinct or polling location using the audit reporting workbook.

4. Calculate the accuracy rate of each contest in the audit by:
 - a. Adding all discrepancies for each contest audited.
 - b. Dividing by total ballots audited for that contest.
 - c. Subtracting the resulting number from one (or 100 percent) to get the accuracy rate.
5. The board must escalate the audit if its accuracy rate is below:
 - a. 99.5 percent in contests with margins of one percent or more, or
 - b. 99.8 percent in contests with margins less than one percent.⁶⁰

Escalation means:

- Drawing a second random sample of at least five percent of votes from units not audited in the original sample.
- Auditing these ballots using the same procedures.
- If accuracy remains below 99.5 percent after the second round, investigate the cause.
- Report findings to the Secretary of State's office within the audit completion timeframe.
- The Secretary of State's office may require a 100 percent hand count.⁶¹

If hand counts differ from certified tallies, determine if a mistake occurred in the hand count. If not, the hand count becomes the accurate count. Notify the Secretary of State in writing of any discrepancy.

Use absolute values of each discrepancy so that gains and losses don't cancel out.

⁶⁰[R.C. 3505.331\(B\)\(3\)\(b\)\(ii\).](#)

⁶¹[R.C. 3505.331\(D\)\(2\).](#)

REPORTING AUDIT RESULTS

If the audit changes vote totals from the Official Canvass, amend your board's certification of the official results the same way required for the original official declaration.⁶²

After completing the audit:

- File final results using the audit reporting workbook.
- Send results to the Secretary of State's office within five days via email (subject line: Post-Election Audit) to Results@OhioSoS.gov.⁶³

Section 11.11 Contests of Elections

A contest of election is a court action challenging the nomination or election of any person or the results of any ballot question or issue.⁶⁴ It is generally filed when irregularities are alleged to have changed or made uncertain the result of the election being contested.

Contest of Election: A court action challenging the nomination or election of any person to any public office or the results of any ballot question or issue.

Requirements for a contest of election are in [R.C. 3515.08-3515.16](#). Boards of elections have no jurisdiction or control over a contest of election. Someone interested in bringing a contest of election should consult private legal counsel. Neither a board nor the Secretary of State's office can advise on a contest of election.

If someone files a contest of election in your county, immediately notify the county prosecutor.

Federal office contests are not subject to a contest of election under the provisions of the Ohio Revised Code. These must follow federal law.⁶⁵

⁶²[R.C. 3505.331\(D\)\(3\)](#); [R.C. 3505.33](#).

⁶³[R.C. 3505.331\(D\)\(1\)](#).

⁶⁴[R.C. 3515.08](#).

⁶⁵[R.C. 3515.08\(A\)](#).

STARTING A CONTEST OF ELECTION

Someone may contest election results by:

- Filing a petition with the clerk of the appropriate court within 15 days after results are announced or within 10 days after recount results are announced.
- Getting at least 25 signatures on the petition from voters who cast votes in the race being contested or from the defeated candidate.
- Having at least two of the petition signers or the defeated candidate verify the petition by oath.⁶⁶
- Filing a bond to cover contest costs (determined by the clerk of court).⁶⁷

Those interested in starting a contest of election should consult private legal counsel about which court to petition.

HEARING AND JUDGMENT ON A CONTEST OF ELECTION

The court will:

- Set a hearing 15 to 30 days after petition filing.⁶⁸
- Control and direct the hearing.
- Decide the matter without a jury.⁶⁹
- Render a judgment in the contest of election.⁷⁰

The judgment may be appealed to the Supreme Court of Ohio within 20 days.⁷¹

⁶⁶[R.C. 3515.09.](#)

⁶⁷[R.C. 3515.09.](#)

⁶⁸[R.C. 3515.10.](#)

⁶⁹[R.C. 3515.11.](#)

⁷⁰[R.C. 3515.14.](#)

⁷¹[R.C. 3515.15.](#)

Section 11.12 Certificates of Nomination/Election

Do not issue certificates of nomination or election until that person or their campaign committee has fully complied with campaign finance reporting laws.⁷²

CERTIFICATES OF NOMINATION

Issue certificates of nomination to each person the board had declared nominated at a primary election, except:

- The most populous county of a multicounty district issues certificates of nomination for that district.
- The Secretary of State issues certificates of nomination for statewide offices and U.S. House seats.⁷³

Don't issue certificates of nomination or elections before the recount request deadline passes. Don't issue a certificate of nomination or election for contests with pending or automatic recounts until the recount is complete.

Issue and deliver certificates of election to elected party controlling committee members.⁷⁴ The most populous county issues these for multicounty districts.

Number of Write-In Votes Required for Nomination

A write-in candidate cannot be nominated as a political party's candidate when only write-in candidates are running, unless they get at least as many votes as petition signatures that would have been required to get on the primary ballot.⁷⁵

Make sure the candidate's name on the certificate matches the name as it appeared on the ballot.

Certificates of nomination or elections cannot be issued before the time for requests for recounts expires. The board cannot issue a certificate for nomination or election in a contest that is being recounted, either because someone requested it or it is being done automatically, until the recount is finished.

⁷²[R.C. 3517.11\(D\).](#)

⁷³[R.C. 3513.22\(E\).](#)

⁷⁴[R.C. 3513.24.](#)

⁷⁵[R.C. 3513.23\(B\).](#)

CERTIFICATES OF ELECTION FOR EVEN-NUMBERED YEAR ELECTIONS

Issue certificates of election to each person the board declared elected at a general election, except:

- The most populous county of a multicounty district issues certificates of election for that district.
- The Secretary of State issues certificates of election for statewide offices and U.S. House seats.

Don't issue certificates before the recount request deadline passes. Don't issue certificates for contests with a pending or automatic recount until the recount is complete.⁷⁶

CERTIFICATES OF NOMINATION FOR ODD-NUMBERED YEAR PRIMARY ELECTIONS

In odd-numbered years when no primary is held, declare party candidates nominated as of the 90th day before the primary. Issue appropriate Certificates of Nomination ([Form 155-A](#)) and certify their names to appear on the general election ballot.⁷⁷

GOVERNOR'S COMMISSIONS

Certain elected officials need a commission from the governor before performing their duties.⁷⁸ These include:

- State executive officers.
- County officers.
- Judges of any court of record, including county court.

When the board knows the official election results, immediately mail the original certificate of election to the Secretary of State.⁷⁹

⁷⁶[R.C. 3505.38.](#)

⁷⁷[R.C. 3513.02.](#)

⁷⁸[R.C. 107.05; R.C. 3505.38.](#)

⁷⁹[R.C. 107.07.](#)

SUBMITTING CERTIFICATES TO THE ELECTIONS DIVISION

Before submitting certificates to the Elections Division:

- ☐ Make sure certificates for full-term offices have the correct **term commencing** date.
- ☐ Make sure certificates for unexpired term offices have the correct **term ending** date.
- ☐ Include the division for judicial offices as it appeared on the ballot.
- ☐ Verify the name on the certificate matches the name on the ballot.
- ☐ Check all spelling of names, offices, and other information.
- ☐ Get signatures from the director and a majority of board members on each certificate.

The Secretary of State's office will provide detailed instructions for submitting certificates of election after each even-year general election.

AMENDMENTS

The board may amend its election results until the 81st day after an election. If an amendment would significantly change information submitted to the Secretary of State or change the outcome of a contest, the director must contact the Secretary of State's office. Clearly indicate which office, question, or issue results the board is amending.

The Secretary of State may set an earlier final date for the election results, if required by federal law.⁸⁰

⁸⁰[R.C. 3505.32\(A\)](#).

Chapter 11 Checklist: Post-Election Activities

Post Election Activities

- ☐ Update voter history in the board system.
- ☐ Update party affiliation after primaries.

Recounts

For Automatic Recounts

- ☐ Calculate margins to determine if an automatic recount is required (< 0.5 percent county/multicounty or < 0.25 percent statewide).
- ☐ Notify Secretary of State if an automatic recount is triggered.
- ☐ For Multicounty Automatic Recounts, receive recount order from the Secretary of State's office
- ☐ Schedule a recount within 10 days of the order.
- ☐ Send certified mail notice at least five days before recount to all affected candidates or issue groups.
- ☐ Prepare recount teams (equal political party representation).
- ☐ Randomly select at least five percent of votes cast.
- ☐ Test voting system same as pre-election testing.
- ☐ Prepare all required forms and documentation.
- ☐ Conduct hand count following proper procedures.
- ☐ Compare hand count to electronic results.
- ☐ Follow procedures if discrepancies found.
- ☐ Certify amended abstract of results.
- ☐ Report results to Secretary of State, even if no changes.

For Requested Recounts

- ❑ Verify request received within five days of official results.
- ❑ Confirm proper deposit received (\$80 per precinct).
- ❑ Deposit funds in special depository fund.
- ❑ Follow the same notice and procedure requirements as automatic recounts.
- ❑ Calculate and assess charges (between \$5 to \$80 per precinct).
- ❑ Refund balance of deposit after recount.
- ❑ Do not charge if the candidate gained more than four percent in precinct or outcome changed.

Post-Election Audits

Preparation

- ❑ Designate staff authorized to handle ballots.
- ❑ Schedule audit after Official Canvass (start six days after, complete within 21 days).
- ❑ Decide audit method (precinct, polling location, or machine).
- ❑ Publicly announce audit date, time, and location.
- ❑ Prepare for observers and public attendance.

Conducting the Audit

- ❑ Randomly select units totaling at least five percent of votes cast.
- ❑ Create bipartisan teams for counting.
- ❑ Compare total votes to pollbook numbers.
- ❑ Hand count selected precincts.
- ❑ Calculate accuracy rates for each contest.
- ❑ If accuracy below thresholds (99.5 percent or 99.8 percent), escalate audit.

- ❑ Document all findings in audit reporting workbook.
- ❑ Certify results to Secretary of State by a majority vote of the board within five days of completion.
- ❑ Amend official results if audit shows discrepancies.

Election Contests

- ❑ If contest filed, immediately notify county prosecutor.
- ❑ Preserve all relevant election materials.
- ❑ Cooperate with court as required.

Certificates of Nomination/Election

- ❑ Issue certificates of nomination/election after verifying campaign finance compliance.
- ❑ Submit certificates for governor's commission if applicable.